

**HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3033

OF 2006.

Rajiv G. Mehta.

..Petitioner.

Versus.

State of Maharashtra & Anr.

..Respondents.

Shri. R. V. Govilkar i/b A. K. Maheshwari for the
Petitioner.

Shri. Vivek Kantawala

for the respondent No.2.

Smt. V. S. Mhaispurkar, A.G.P. for the respondent no.1.

CORAM: S.B.MHASE, J.

DATE : MAY 3, 2006.

P.C.

1. Heard both sides. Learned counsel for the petitioner states that he will proceed for the cross examination of the respondent no.2 from Monday, 8.5.2006. Learned counsel for the respondent states that the respondent no.2 will remain present in the court on 8.5.2006 for cross-examination. In view of this concession, the order dated 28.3.2006 passed below Exhibit-14 rejecting the cross examination is set aside. The petitioner is hereby directed to appear before the Family Court on 8.5.2006 and shall proceed with the cross examination on day-to-day basis. The respondent No.2 shall remain present in the Court on 8.5.2006, and make

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himself available for the cross examination. Petitioner
is directed to go on cross-examining the respondent no.2
on day-to-day basis till he finishes cross-examination.
If the petitioner does not proceed with the cross
examination of the respondent no.2, the right of cross
examination shall stand forfeited. The family Court is
hereby directed to prepone the matter for evidence and
proceed with the matter. With these directions petition
is disposed of.

(S.B.MHASE, J.)